

AMENDED IN ASSEMBLY MAY 6, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2582**

**Introduced by Assembly Member Chu**

February 21, 2002

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An act to amend Section 21655.5 of the Vehicle Code, relating to paratransit vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2582, as amended, Chu. Paratransit vehicles: high occupancy vehicle lanes.

Existing law authorizes local authorities and the Department of Transportation to establish exclusive and preferential use of highway lanes for high-occupancy vehicles.

This bill would authorize the operation of a paratransit vehicle upon those highway lanes unless specifically prohibited by a traffic control device, *as specified*.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21655.5 of the Vehicle Code is amended  
2 to read:  
3 21655.5. (a) The Department of Transportation and local  
4 authorities, with respect to highways under their respective  
5 jurisdictions, may authorize or permit exclusive or preferential use  
6 of highway lanes for high-occupancy vehicles. Prior to

1 establishing the lanes, competent engineering estimates shall be  
2 made of the effect of the lanes on safety, congestion, and highway  
3 capacity.

4 (b) The Department of Transportation and local authorities,  
5 with respect to highways under their respective jurisdictions, shall  
6 place and maintain, or cause to be placed and maintained, signs and  
7 other official traffic control devices to designate the exclusive or  
8 preferential lanes, to advise motorists of the applicable vehicle  
9 occupancy levels, and, except where ramp metering and bypass  
10 lanes are regulated with the activation of traffic signals, to advise  
11 motorists of the hours of high-occupancy vehicle usage. No person  
12 shall drive a vehicle upon those lanes except in conformity with the  
13 instructions imparted by the official traffic control devices. A  
14 motorcycle, ~~paratransit vehicle, or~~ a mass transit vehicle, *or a*  
15 *paratransit vehicle that is clearly and identifiably marked on all*  
16 *sides of the vehicle with the name of the paratransit provider* may  
17 be operated upon those exclusive or preferential use lanes unless  
18 specifically prohibited by a traffic control device.

19 (c) When responding to an existing emergency or breakdown  
20 in which a mass transit vehicle is blocking an exclusive or  
21 preferential use lane, a clearly marked mass transit vehicle, mass  
22 transit supervisor's vehicle, or mass transit maintenance vehicle  
23 that is responding to the emergency or breakdown may be operated  
24 in the segment of the exclusive or preferential use lane being  
25 blocked by the mass transit vehicle, regardless of the number of  
26 persons in the vehicle responding to the emergency or breakdown,  
27 if both vehicles are owned or operated by the same agency, and that  
28 agency provides public mass transit services.

29 (d) For purposes of this section, a "paratransit vehicle" is  
30 defined in Section 462.

31 (e) For purposes of this section, a "mass transit vehicle" means  
32 a transit bus regularly used to transport paying passengers in mass  
33 transit service.

34 (f) It is the intent of the Legislature, in amending this section,  
35 to stimulate and encourage the development of ways and means of  
36 relieving traffic congestion on California highways and, at the  
37 same time, to encourage individual citizens to pool their vehicular  
38 resources and thereby conserve fuel and lessen emission of air  
39 pollutants.

1 (g) The provisions of this section regarding mass transit  
2 vehicles *and paratransit vehicles* shall only apply if the Director  
3 of Transportation determines that the application will not subject  
4 the state to a reduction in the amount of federal aid for highways.

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